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M 3624
08/09/02
COPY OF PAPERS
ORIGINALLY FILED

Docket No.
474712/0005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eugene Lawrence Podsiadlo

Art Unit: 3624

Application No.: 09/668,547

Examiner: Hani Kazimi

Filed: September 29, 2000

For: **COMMUNICATION NETWORK BASED SYSTEM AND METHOD FOR
AUCTIONING SHARES OF AN INVESTMENT PRODUCT**

Date: July 25, 2002

Commissioner for Patents
Washington, DC 20231

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CERTIFICATE OF MAILING
BY "FIRST CLASS MAIL" (37 C.F.R. § 1.8)

Sir:

I hereby certify that, pursuant to 37 C.F.R. § 1.8, the following correspondence:

Information Disclosure Statement (3 pgs.); List of References/PTO 1449 Form (1pg.); Three (3) references; Copy of International Search Report (4 pgs.); and Return Postcard.

is being deposited on July 25, 2002 with the United States Postal Service as first class mail in an envelope bearing sufficient postage thereon and addressed to:

**Commissioner For Patents
Washington, DC 20231**

Lucille Assevero

(Typed Or Printed Name Of Person Mailing Correspondence)

Lucille Assevero
(Signature Of Person Mailing Correspondence)

PATENT
Docket No. 474712/0005

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Applicant(s) : Eugene Lawrence Podsiadlo
Serial No. : 09/668,547 Group Art Unit: 3624
Filed : September 29, 2000 Examiner: Hani Kazimi
For : **COMMUNICATION NETWORK BASED SYSTEM AND METHOD FOR
AUCTIONING SHARES OF AN INVESTMENT PRODUCT**

INFORMATION DISCLOSURE STATEMENT



Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Information Disclosure Statement (IDS) is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98.

The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:

2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. _____, filed _____.
4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

- ☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application for filing date of the continued prosecution application filed on _____; or
- ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
- ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits, whichever event occurred last.
5. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$240.00 is enclosed in payment of the fee.
- ☐ Charge the fee to Deposit Account No. 19-4709. Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. ☐ one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. ☐ the attached petition requesting consideration of this Information Disclosure Statement; and
- c. ☐ the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
- b. ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To withdraw Application From Issue.
- c. ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.
9. a. ☐ I hereby certify that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- b. ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. a. ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under C.F.R. §1.17(i)(1).
- b. ☐ Charge the fee due under C.F.R. §1.17(i)(1) to Deposit Account No. 19-4709. Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

- c. ☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-4709. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

11. ☒ Additional Comments.

Applicant respectfully draws the Examiner's attention to Applicant's co-pending International Application No. PCT/US01/29517 and the International Search Report issued therein, a copy of which is enclosed. The Search Report identifies references cited in this IDS.

Respectfully submitted,

Dated:

July 25, 2002

By:

Ian G. DiBernardo
Ian G. DiBernardo
Registration No. 40,991

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FORM PTO 1449 (modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)				ATTY DOCKET NO. 474712/0005		APPLICATION NO. 09/668,547	
				APPLICANT Eugene Lawrence Podsiadlo			
				FILING DATE September 29, 2000		GROUP To be assigned	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,260,024	7/10/2001	Shkedy	705	37	12/2/1998
		5,794,219	8/11/1998	Brown	705	37	2/20/1996
		5,905,975	5/18/1999	Ausubel	705	37	1/2/1997

FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)		

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.